



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
-----------------	-------------	----------------------	---------------------	------------------

09/615,830

07/13/2000

Charles T. Shotton JR.

J522-006 US

6757

21967

7590

01/30/2006

HUNTON & WILLIAMS LLP
INTELLECTUAL PROPERTY DEPARTMENT
1900 K STREET, N.W.
SUITE 1200
WASHINGTON, DC 20006-1109

EXAMINER

BULLOCK JR, LEWIS ALEXANDER

ART UNIT

PAPER NUMBER

2195

DATE MAILED: 01/30/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/615,830

Applicant(s)

SHOTTON ET AL.

Examiner

Lewis A. Bullock, Jr.

Art Unit

2195

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 20 October 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1, 7-24 and 31-35 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1, 7-24 and 31-35 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 20 October 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input checked="" type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Drawings

New corrected drawings in compliance with 37 CFR 1.121(d) are required in this application because of Draftperson's Review. Applicant is advised to employ the services of a competent patent draftsman outside the Office, as the U.S. Patent and Trademark Office no longer prepares new drawings. The corrected drawings are required in reply to the Office action to avoid abandonment of the application. The requirement for corrected drawings will not be held in abeyance.

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1, 7, and 31-35 are rejected under 35 U.S.C. 102(b) as being anticipated by "Tracking and Viewing Changes on the Web" by DOUGLIS.

As to claim 1, DOUGLIS teaches a software agent (w3newer) executable on a local computer for retrieving a changing target content from a target source (changed web page) on a remote computer, comprising: means for retrieving data from a target source on a remote computer (retrieves pages from WWW), program instructions for identifying a predefined structural location of target content located within a version of data retrieved from the target source, the predefined structural location based upon a

Art Unit: 2195

structural location of target content identified in a previous version of data retrieved from the target source; and an agent engine for executing the program instructions to retrieve potentially changing target content from the target source (via the w3newer program invoking the htmldiff which can parse an HTML document and rectify certain syntactic problems, such as mismatched or missing markups and run as client-side support in conjunction with the browser) (see pages 8-9, Issues and Extensions, and Integrating the tools).

As to claim 31, DOUGLIS teaches a method for downloading a dynamically changing target document (changed web page) from a remote computer to a local computer and locating and extracting a target content from the target document (via htmldiff), the method comprising the steps of: downloading a target document from a remote computer (retrieves pages from WWW), and further characterized by the steps of: identifying a target content within the target document (via parsing); parsing the target document to determine a structural location of the target content in the target document (via the htmldiff parsing the document to identify change); storing a description of the structural location of the target content as agent information; downloading a subsequent version of the target document from the remote computer and locating the structural location of the target content within the target document using the agent information; and retrieving the target content within the subsequent version of the target document (via the w3newer program invoking the htmldiff which can parse an HTML document and rectify certain syntactic problems, such as

Art Unit: 2195

mismatched or missing markups to determine changes in web pages for local storage and future checks and run as client-side support in conjunction with the browser) (see pages 8-9, Issues and Extensions, and Integrating the tools).

As to claim 7, DOUGLIS teaches the data is a web page structure (HTML) and the program instructions comprises algorithms for parsing the data retrieved from the target source structure to find the target content (via the htmldiff parsing an HTML document to detect a change) (pg. 7-9).

As to claims 32-35, DOUGLIS teaches the identifying the target content (performed by the htmldiff) comprises identifying start marker text and end marker text (mark-ups) that delimits the target content in the target document wherein the marker text define plain text, stylized text, HTML syntax elements, non-text web page elements, or contained in two different structures in the target source (i.e. within an internal begin/end marker and an external begin/end marker) (refer to pages 7-9).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 8-11, and 13-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over "Tracking and Viewing Changes on the Web" by DOUGLIS in view of BERANEK (UK Patent Application GB 2329309 A).

As to claim 8, DOUGLIS teaches a locally executing software application for retrieving and arranging target content from a target source on a remote computer on to a local computer, the software application (AIDE system tool / w3newer) comprising: at least one agent (w3newer) having information describing a predefined structural location of a target content (URL / link) within a target document and an agent engine for executing program instructions using the agent information to download a dynamically changing target document from a remote computer (retrieves pages from WWW), locate a changing target content within the target document, extract the located target content, reformats the extracted target content (via using the htmldiff to parse the extracted content to determine if it is different from the past content) and store the target content on the local computer (via the w3newer program invoking the htmldiff which can parse an HTML document and rectify certain syntactic problems, such as mismatched or missing markups and run as client-side support in conjunction with the browser) (see pages 8-9, Issues and Extensions, and Integrating the tools). However, DOUGLIS does not teach using a publication template for arranging the retrieved target content.

BERANEK teaches an agent (client side HTTP caching proxy) (pg. 21, lines 7-17) comprising an agent engine for executing program instructions to download a target document (retrieve web page), reformat the extracted target content into a common format (via the filtering mechanism) (pg. 32, lines 13-22; pg. 36, lines 1-13), and store

Art Unit: 2195

the target content on the local computer (caching the web page), and at least one publication template (filtering list of actions) for arranging the retrieved, stored target content for display on the local computer (pg. 21, line 18 – pg. 22, line 12; pg. 23, lines 6 –8; pg. 25, lines 1-5; pg. 26, lines 6-18; pg. 30, lines 12-21). Therefore, it would be obvious to one skilled in the art the combine the system of DOUGLIS with the system of BERANEK in order to facilitate control presentation of a document for display (pg. 3, lines 17-19).

As to claims 9-11, BERANEK teaches a web browser display window (web browser) capable of displaying the target content as arranged by the publication templates (via a filtering mechanism using a filtering list of actions to display the contents) (pg. 21, line 18 – pg. 22, line 12; pg. 23, lines 6 –8; pg. 25, lines 1-5; pg. 26, lines 6-18; pg. 30, lines 12-21). Official Notice is taken in that it is obvious to one of ordinary skill in the art that an agent is capable of communicating with other agents or be made up of a plurality of sub-agents to retrieve requested content and therefore would be obvious in view of BERANEK that the agent would communicate with a server agent or be made up of a plurality of sub-agents to retrieve the requested content.

As to claim 13 and 14, DOUGLIS teaches the at least one agent includes parsing means for determining the location of target content within the structure of the target document wherein the parsing comprises agent information having target content source structure information and algorithms for parsing the structure of the target

document to find a target document structure containing the target content (via the htmldiff parsing an HTML document to detect a change) (pg. 7-9)

As to claim 15, DOUGLIS teaches a method for retrieving a target content (web page change) from a remote computer, the method comprising: providing a software application (AIDE system tool / w3newer) having at least one autonomous agent (w3newer), each autonomous software agent comprising routines, an agent information describing the structural location of a target content within a target document (hotlist / interested URLs), and an agent engine to execute the routines and apply agent information to download a dynamically changing target document from a remote computer, locate a changing target content within the target document, extract the located target content, and store the content on a local computer (via storing the new page or changes to both notify the user of the changes and for subsequent checking for future changes to the web page); executing the at least one agent on the local computer to download the target document from the remote computer and locate and extract the target content from the target document; and storing the retrieved target content on the local computer (via the w3newer program invoking the htmldiff which can parse an HTML document and rectify certain syntactic problems, such as mismatched or missing markups and run as client-side support in conjunction with the browser) (see pages 8-9, Issues and Extensions, and Integrating the tools). However, DOUGLIS does not teach reformat the extracted target content with the target document.

BERANEK teaches an agent (client side HTTP caching proxy) (pg. 21, lines 7-17) comprising an agent engine for executing program instructions to download a target document (retrieve web page), reformat the extracted target content into a common format (via the filtering mechanism) (pg. 32, lines 13-22; pg. 36, lines 1-13), and store the target content on the local computer (caching the web page), and at least one publication template (filtering list of actions) for arranging the retrieved, stored target content for display on the local computer (pg. 21, line 18 – pg. 22, line 12; pg. 23, lines 6 –8; pg. 25, lines 1-5; pg. 26, lines 6-18; pg. 30, lines 12-21). Therefore, it would be obvious to one skilled in the art the combine the system of DOUGLIS with the system of BERANEK in order to facilitate control presentation of a document for display (pg. 3, lines 17-19).

As to claims 16-22, DOUGLIS substantially discloses the invention above. However, DOUGLIS does not teach a displaying the target content by using a publication template.

BERANEK teaches an agent (client side HTTP caching proxy) (pg. 21, lines 7-17) comprising an agent engine for executing program instructions to download a target document (retrieve web page), reformat the extracted target content into a common format (via the filtering mechanism) (pg. 32, lines 13-22; pg. 36, lines 1-13), and store the target content on the local computer (caching the web page), and at least one publication template (filtering list of actions) for arranging the retrieved, stored target content for display on the local computer (pg. 21, line 18 – pg. 22, line 12; pg. 23, lines

Art Unit: 2195

6 –8; pg. 25, lines 1-5; pg. 26, lines 6-18; pg. 30, lines 12-21). Official Notice is taken in that it is obvious to one of ordinary skill in the art that an agent is capable of communicating with other agents or be made up of a plurality of sub-agents to retrieve requested content and therefore would be obvious in view of BERANEK that the agent would communicate with a server agent or be made up of a plurality of sub-agents to retrieve the requested content.

As to claims 23 and 24, DOUGLIS teaches finding the target content comprises parsing the target document and locating a structure within the parsed target document structure matching the structural location information in the agent information by using a plurality of algorithms (via the htmlDiff parsing an HTML document to detect a change) (pg. 7-9).

As to claim 12, DOUGLIS teaches when a periodic task checks the status of a large number of URLs, a number of things can go wrong (pg. 5, first sentence) and that the w3newer program performs checks on URLs (pg. 3). However, neither DOUGLIS nor BERANEK teach the program is scheduled. It would be obvious to one of ordinary skill in the art at the time of the invention that task that perform periodically must be scheduled and therefore that since the program checks for the status of URLs and that this task is performed on a periodically, that the w3newer program is scheduled periodically on the client system.

Response to Arguments

5. Applicant's arguments filed October 20, 2005 have been fully considered but they are not persuasive. Applicant argues regarding claim 1 and 31 that Dougliis does not teach identifying a predefined structural location...based upon a structural location of target content identified in a previous version of the data retrieved from the target source. Applicant supports this argument by asserting that the invention solves the problems of Dougliis by identifying **only** a selected location of a portion of data, and retrieving content from that location **only**. The examiner disagrees. The examiner would first like to point out that the interpretation by Applicant is different from the Examiners. As pointed out above, Applicants interpretation would require an indication of what content of a web page is of interest and storing the memory address or a pointer address of this content such that this memory address or pointer address is used to subsequent retrieve the content from a modified version of the page. None of these limitations are claimed. The examiner has interpreted the predefined structural location of target content as the start marker of a portion of a particular web page content. Dougliis parses the document initially and subsequently parses a modified version of the document to determine the changes and present them accordingly. Parsing of the document requires to checking, e.g. the determining, of each marked content of the document for changes, via its start marker to the end marker. Therefore, Dougliis has to know the previous start markers for the previous versions and checks each marker portion content in order to detect changes with the new version. The claims are broad in scope to encompass the Examiner's interpretation of the claims and therefore were

rejected accordingly. In addition, Applicant argues that only the content identified by the location previously recorded is retrieved. All of the claims are open-ended. Claim 1 and its dependents makes no mention that only the target content is retrieved. Claims 8, 15, and 31 and their dependents also does not make any mentioning of only the target content is retrieved. In fact, claim 8 and similarly claimed 15 and 31 details retrieving the entire target document, "...using the agent information to download a dynamically changing target document from a remote computer,". The claims do allude to retrieving the target content hen the whole document is downloaded. This is met by Dougli's showing only the changed content when the document is downloaded. M.P.E.P. 2111 details that claim limitations and language must be given their broadest reasonable interpretation consistent with the specification. Limitations from the specification must not be read into the claims. Therefore, because Applicant's claims embody both the Examiner's interpretation and Applicant's interpretation, the Examiner's interpretation is proper for rejecting the claims. This same line of reasoning is used in refuting Applicant's argument wherein Dougli does not teach retrieving potentially changing target content.

Applicant argues that Dougli fails to disclose an autonomous agent because the user invokes the agent. The examiner disagrees. The user only communicates with the system through the web browser, i.e. the application that invokes the agent. Claim 15 details a software application having an agent that performs the function automatically determining and identifying changes in a target document. Dougli states on page 11-12, Conclusion that "AIDE combines notification, archiving, and differentiating of WWW

Art Unit: 2195

pages into a single cohesive tool in that AIDE benefits two communities: users of the WWW no longer have to browse to find pages of interest that have changed...". It goes on the state, "While such automation is clearly helpful in this general context, we expect that AIDE will be a critical part of more focused uses of the WWW...". AIDE functions by a w3newer periodically accessing the WWW to find when pages on a user's hotlist have changed, the snapshot allowing a user to save versions of the page and the HtmlDiff, automatically comparing the two HTML pages and creates a merged page to show the differences. A hotlist is associated with a web browser. Autonomous means that the entity executes independently. As stated in the recited sections above, the AIDE automation combines notification, archiving and differentiating of WWW pages so that users of the WWW no longer have to browse to find pages of interest that have changed by accessing a hotlist and periodically determining the changes to pages on the hotlist to be subsequently displayed. This process would be autonomous since it alleviates the user from performing it.

The remaining arguments are moot in view of the new grounds of rejection.

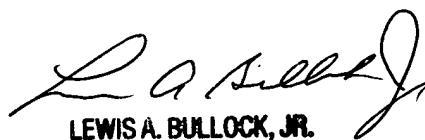
Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lewis A. Bullock, Jr. whose telephone number is (571) 272-3759. The examiner can normally be reached on Monday-Friday, 8:30 a.m. - 5:00 p.m..

Art Unit: 2195

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Meng An can be reached on (571) 272-3756. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



LEWIS A. BULLOCK, JR.
PRIMARY EXAMINER

January 20, 2006